

HOUSE BILL No. 1247

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-24-6-2.

Synopsis: Commercial driver's licenses. Provides that an application for a commercial driver's license from a holder of a commercial driver's license from another state be conducted in accordance with federal regulations.

Effective: Upon passage; July 1, 2009.

Herrell

January 12, 2009, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1247

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-24-6-2, AS AMENDED BY P.L.188-2006,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 2. (a) The bureau shall adopt rules under
4 IC 4-22-2 to regulate persons required to hold a commercial driver's
5 license.

6 (b) The rules must carry out 49 U.S.C. 521, 49 U.S.C. 31104, 49
7 U.S.C. 31301 through 31306, 49 U.S.C. 31308 through 31317, and 49
8 CFR 383 through 384, and may not be more restrictive than the federal
9 Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law
10 ~~106-159, 113~~ **106-159, 113** Stat. 1748).

11 (c) Rules adopted under this section must include the following:

- 12 (1) Establishment of classes and periods of validation of
13 commercial driver's licenses.
14 (2) Standards for commercial driver's licenses, including
15 suspension and revocation procedures.
16 (3) Requirements for documentation of eligibility for legal
17 employment, as set forth in 8 CFR 274a.2, and proof of Indiana



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residence.

(4) Development of written or oral tests, driving tests, and fitness requirements.

(5) Defining the commercial driver's licenses by classification and the information to be contained on the licenses, including a unique identifier of the holder.

(6) Establishing fees for the issuance of commercial driver's licenses, including fees for testing and examination.

(7) Procedures for the notification by the holder of a commercial driver's license to the bureau and the driver's employer of pointable traffic offense convictions.

(8) Conditions for reciprocity with other states, including requirements for a written commercial driver's license test and operational skills test, and a hazardous materials endorsement written test and operational skills test, before a license may be issued. **The rules must carry out 49 CFR 383.71(b) with respect to an application for a commercial driver's license for a holder of a commercial driver's license in another state who seeks a transfer of the commercial driver's license to Indiana.**

(9) Other rules necessary to administer this chapter.

(d) 49 CFR 383 through 384 are adopted as Indiana law.

SECTION 2. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "bureau" means the bureau of motor vehicles created by IC 9-14-1-1.**

(b) Notwithstanding IC 9-24-6-2(c)(8), as amended by this act, the bureau, under interim written guidelines approved by the commissioner of the bureau, shall provide that, after June 30, 2009, an application for a commercial driver's license for a holder of a commercial driver's license from another state be conducted in accordance with 49 CFR 383.71(b).

(c) This SECTION expires on the earlier of the following:

(1) The date rules are adopted under IC 9-24-6-2(c)(8), as amended by this act.

(2) December 31, 2010.

SECTION 3. **An emergency is declared for this act.**

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